

PATENT APPLICATION

#39

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pete Ballos, III

Serial No: 09/386,813

Filed: August 31, 1999

Examiner: Kim, E.

Art Unit: 3721

Confirmation No.: 1826

RECEIVED

MAY 6 2002

OFFICE OF PETITIONS

For: MOVEABLE TAPE HEAD FOR BOX ERECTING MACHINE

Docket: 1162-P-DIV

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Adjustment date: 05/06/2002 GTEFFERA
 01/29/2002 GTEFFERA 00000094 09386813
 01 FC:220 -160.00 OP

Adjustment date: 05/06/2002 GTEFFERA
 01/07/2002 GTEFFERA 00000094 09386813
 01 FC:219 -160.00 OP

NOTIFICATION OF LOSS OF SMALL ENTITY STATUS

The Applicant in the above-identified patent application established small entity status in good faith when the application was filed. The lawyers in the law firm of Sand & Sebolt have recently learned through Applicant that portions of the stock in Applicant's corporation was acquired by large entities on June 21, 1999. The Applicant now understands that the stock ownership raises an issue about its entitlement to small entity status under the definition of a small business concern in 13 C.F.R. § 121. The Applicant thus believes that it is likely not entitled to small entity status and does not wish to jeopardize its patent applications by maintaining the small entity status.

Applicant thus notifies the Office that it has lost its entitlement to small entity status and respectfully requests that any error in claiming the small entity status be excused in accordance with 37 C.F.R. § 1.28(c). Accompanying this request for excuse are an itemization of the payments due and the deficiency payment required by 37 C.F.R. § 1.28(c)(2).

Adjustment date: 05/06/2002 GTEFFERA
 09/09/1999 MPEOPLES 00000035 09386813
 01 FC:201 -380.00 OP

Adjustment date: 05/06/2002 GTEFFERA
 07/10/2001 MYUSURF1 00000038 09386813
 01 FC:216 -195.00 OP
 02 FC:203 -35.00 OP
 03 FC:202 -40.00 OP

05/06/2002 GTEFFERA 00000153 09386813

01 FC:101
 02 FC:103
 03 FC:102
 04 FC:119
 05 FC:120
 06 FC:116

740.00 OP
 72.00 OP
 84.00 OP
 320.00 OP
 320.00 OP
 400.00 OP

COPY OF PAPERS
ORIGINALLY FILED

Calculation of Fee Deficiency:

	<u>Fee Paid</u>	<u>Current Fee</u>	<u>Difference</u>
Filing fee:	\$380.00	\$740.00	\$360.00
Extension of Time and Add'l Claim Fees:	\$271.00	\$556.00	\$285.00
Notice of Appeal:	\$160.00	\$320.00	\$160.00
Appeal Brief	\$160.00	\$320.00	\$160.00
		Total due:	\$965.00

The Applicant has included a check with this notification in the amount of \$965.00 for the fee deficiency. The Applicant again respectfully requests that the error in claiming small entity status be excused. If any issues remain after this submission, the undersigned attorney would welcome a telephone call.

Respectfully submitted at Canton, Ohio this 18th day of April, 2002.

SAND & SEBOLT



By: Fred H. Zollinger, III
Reg. No. 39,438

Aegis Tower
4940 Munson Street, NW, Suite 1100
Canton, OH 44718-3615
Telephone: (330) 244-1174
Facsimile: (330) 244-1173
FHZ/vh
Attorney Docket: 1162-P-DIV